



*Congress of the United States
House of Representatives
Washington, D.C. 20515*

*Anna G. Eshoo
Eighteenth District
California*

November 15, 2017

The Honorable Ajit Pai, Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Chairman Pai,

I have twice written to you this year asking you to take seriously reports that Russian outlets have been and continue to broadcast propaganda over U.S. airwaves, and to take steps at the Federal Communications Commission (FCC) to address this matter. Your responses thus far have dismissed these concerns and failed to answer my questions satisfactorily. That's why I'm writing to you once again to urge you to (a) launch a long-overdue FCC investigation into the licensees that have facilitated the use of American airwaves to broadcast information by foreign agents without proper disclosure, (b) to apply any necessary enforcement actions to the fullest extent of your authority under the law, and (c) to evaluate whether current FCC rules merit an update to avoid future undermining of our communications systems by foreign agents.

The broadcast airwaves are a public trust that carry special obligations to the public and which the FCC oversees. As I noted in my letters on May 3rd and September 18th, it is imperative that the integrity of these communications systems are preserved. It is therefore incumbent upon your agency to investigate an ongoing matter of clear and widespread concern that those airwaves may have been compromised by foreign state-based actors intent on interfering in our democratic processes, and answer questions including but not limited to the following:

- (I) In your July 24, 2017 letter, you noted that under the Commission's sponsorship identification and public file ownership disclosure requirements, if RT or Sputnik compensated a broadcast radio or television station for transmitting RT or Sputnik programming, the sponsorship identification rules would apply and disclosure would be required. However, you did not note whether or not there was such compensation and if there was proper disclosure of any such identification. Were RT and Sputnik indeed doing so and were the broadcast stations in compliance with those disclosure rules at the time?

- (2) For what percentage of airtime were the broadcasters transmitting broadcasts from RT and Sputnik, respectively?
- (3) If the broadcasters were not in compliance under the FCC's foreign state sponsorship rules, what steps is the Commission taking to address those transgressions, including but not limited to the revocation of broadcast reauthorization of the U.S. stations that you describe in sub (4) of your October 23, 2017 response?
- (4) It is increasingly clear that the ability of RT and Sputnik to broadcast over public airwaves without disclosing the true sponsor of this programming had harmful effects on the public interest. Either the broadcaster licensee was in violation of FCC rules and that violation was overlooked, or there are gaps in the rules that have allowed this foreign intervention to occur. In either case, it seems the Commission's foreign ownership rules may deserve a reevaluation. Will the Commission commit to doing so?
- (5) What obligations and oversight authority does the FCC have with regard to oversight of broadcasters who are leasing U.S. airwaves to foreign agents that are registered with, or should have registered with, the Department of Justice under the Foreign Agents Registration Act?

American consumers have a right to know where their information is coming from, and whether the public interest is being compromised over the airwaves designated to serve them. It is the responsibility of the Commission to protect the public interest first, and I hope you will exercise your diligence by looking into these matters to prevent further subversion from taking place.

Sincerely,



Anna C. Eshoo
Member of Congress

cc: The Honorable Mignon Clyburn, Commissioner, Federal Communications
Commission
The Honorable Michael O'Rielly, Commissioner, Federal Communications
Commission
The Honorable Brendan Carr, Commissioner, Federal Communications
Commission
The Honorable Jessica Rosenworcel, Commissioner, Federal Communications
Commission